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IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-SECOND LEGISLATIVE DAY
MONDAY, FEBRUARY 1, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Den Hartog and Siddoway, absent and formally excused by the Chair.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Hayden Rogers, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 29, 2016, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJR 101 **BY STATE AFFAIRS COMMITTEE** **A JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 10, ARTICLE IV, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO VETOES BY THE GOVERNOR, TO PROVIDE THAT UPON THE VETO OF A BILL FOLLOWING THE ADJOURNMENT OF THE LEGISLATURE, THE GOVERNOR, UPON THE JOINT REQUEST OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE, SHALL CALL THE LEGISLATURE BACK INTO SESSION TO RECONSIDER THE VETOED BILL AS PROVIDED BY LAW; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

[**SJR 101**](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 1, 2016

The JUDICIARY AND RULES Committee reports that [**S 1227**](#), [**S 1228**](#), [**S 1229**](#), [**S 1230**](#), [**S 1231**](#), and [**S 1232**](#) have been correctly printed.

LODGE, Chairman

[**S 1227**](#) was referred to the Commerce and Human Resources Committee.

[**S 1228**](#), [**S 1229**](#), and [**S 1230**](#) were referred to the Transportation Committee.

[**S 1231**](#) was referred to the Health and Welfare Committee.

[**S 1232**](#) was referred to the Education Committee.

February 1, 2016

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Bob Geddes as the Director of the Department of Administration, term to continue at the pleasure of the Governor.

Eric R. Anderson to the Public Utilities Commission, term to expire January 9, 2019.

MCKENZIE, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 1, 2016

The STATE AFFAIRS Committee reports out [**SCR 133**](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[**SCR 133**](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 27, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Erwin L. Sonnenberg of Boise, Idaho, was appointed as a member of the Sexual Offender Management Board to serve a term commencing June 2, 2015, and expiring January 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

January 29, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Terry Gestrin of Donnelly, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 13, 2015, and expiring December 1, 2016.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 29, 2016

Dear Mr. President:

I transmit herewith [H 425](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 425](#) was filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Jeff Cilek was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Burgoyne, the Gubernatorial appointment of Jeff Cilek as a member of the Public Employee Retirement System of Idaho Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1233 BY FINANCE COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR THE COMMUNITY, OPERATIONS, AND PROGRAM SERVICES PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR THE INSTITUTIONS PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR THE COMMUNITY-BASED SUBSTANCE ABUSE TREATMENT SERVICES PROGRAM FOR FISCAL YEAR 2016; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR THE INSTITUTIONS PROGRAM FOR FISCAL YEAR 2016; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR THE COMMUNITY-BASED SUBSTANCE ABUSE TREATMENT SERVICES PROGRAM FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1234 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE IDAHO ADMINISTRATIVE PROCEDURE ACT; AMENDING SECTION 67-5205, IDAHO CODE, TO REMOVE REFERENCE TO CERTAIN ELECTRONIC COPIES.

[S 1233](#) and [S 1234](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 425](#), by Revenue and Taxation Committee, was introduced, read at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 363](#), [H 364](#), and [H 365](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1216](#) and [S 1217](#), by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 342](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder.
Total - 33.

NAYS—None.

Absent and excused—Den Hartog, Siddoway. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 342](#) passed, title was approved, and the bill ordered returned to the House.

[H 349](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Den Hartog, Siddoway. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 349](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [S 1209](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1210](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Hill. Total - 1.

Absent and excused—Den Hartog, Siddoway. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1210](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11:15 a.m., Tuesday, February 2, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary